

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS SAMPSON,

Plaintiff,

8:07CV155

vs.

INV. EARL SCHENCK, in his official and individual capacities; INV. WILLIAM LAMBERT, in his official and individual capacities; SGT. SANDY WEYERS, in her official and individual capacities; INV. CHARLES O'CALLAGHAN, in his individual and official capacities; DOES 1-8, in their official and individual capacities; CASS COUNTY SHERIFF'S OFFICE, a Nebraska political subdivision; DAVID KOFOED, in his official and individual capacities; and DOUGLAS COUNTY SHERIFF'S OFFICE, a Nebraska political subdivision,

Defendants,

ORDER

MATTHEW LIVERS,

Plaintiff,

8:08CV107

vs.

EARL SCHENCK, Cass County Sheriff's Investigator; WILLIAM LAMBERT, Nebraska State Patrol Investigator; CHARLES O'CALLAGHAN, Nebraska State Patrol Investigator; SANDRA WEYERS, Cass County Sheriff's Sergeant; COUNTY OF CASS, NEBRASKA; DAVID KOFOED, Commander of the Douglas County Sheriff's Office Crime Scene Investigation Division; TIM DUNNING, Sheriff of Douglas County; and COUNTY OF DOUGLAS, Nebraska,

Defendants.

ORDER

This matter is before the court sua sponte.

In April 2010, the defendant David W. Kofoed's counsel withdrew with leave of court. Mr. Kofoed has represented himself in this matter since that time. The local rules require all parties, including pro se parties to keep the court informed of a current address and telephone number at all times while the case is pending. Specifically, a party "whose address, telephone number, fax number, or e-mail address changes during a pending case must file and serve notice of the change within 30 days." **See** NEGenR 1.3(e) and (g).

On December 17, 2012, the court received a filing returned as undeliverable to Mr. Kofoed at a Lincoln address. **See** [Filing No. 483](#). A handwritten notation on the document indicated Mr. Kofoed moved to an address on 86th Street in LaVista, Nebraska. **Id.** The court changed Mr. Kofoed's listed address based on the notation. Despite the change, during February and March, 2013, the court received several filings, which had been addressed to Mr. Kofoed, returned as undeliverable. Although Mr. Kofoed has participated in telephone conferences regarding these cases, he has not informed the court of a new address or telephone number. Some parties' counsel serve Mr. Kofoed with filings by using an electronic mail address: david.kofoed@cox.net, however other counsel appear not to notice Mr. Kofoed of their filings by merely relying on the CM/ECF filing system to serve notice. Since Mr. Kofoed has not consented or registered for such service, simply filing a document through the system does not provide notice or service on Mr. Kofoed. In any event, Mr. Kofoed shall have an opportunity to update his contact information or show cause why sanctions should not be imposed. Accordingly,

IT IS ORDERED:

1. David W. Kofoed shall notify the court of his current address and telephone number as soon as possible, but in any event **no later than April 12, 2013**, in writing by filing a notice containing the information with the Clerk of Court. Mr. Kofoed may also consent to receive notice of service by electronic mail in such filing.

2. The Clerk of Court shall send a copy of this order to David W. Kofoed at his last known electronic mail address: david.kofoed@cox.net.

Dated this 20th day of March, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge